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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
TAYLOR, BARRY W	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/086,192	DAMMROSE, J. MARK	
	Examiner	Art Unit	
	Barry W Taylor	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 November 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/6/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-11, 15-17, 19-20, 22-36 and 38-39 rejected under 35 U.S.C. 103(a) as being unpatentable over Bunting et al (6,393,289) in view of Dikmen (6549613) further in view of Lawson et al (6,381,306 hereinafter Lawson).

Regarding claims 1, 22-23, 27, 29, 31, 33-34 and 38-39. Bunting teaches a service request directed to the adjunct (see 110 figure 1) by switch 100 (figure 1). In other words, passing an outgoing correlation key from first switch (100 figure 1) directed towards adjunct (110) whereby the adjunct responds to request forming connection (117 figure 1) (figures 1-3, col. 4 lines 4-24, 43-67, col. 5 lines 1-44, columns 7-8 especially col. 7 line 55 – col. 8 line 3).

Bunting indeed uses correlation information (figures 1-3, col. 4 lines 4-24 and 43-67, col. 5 lines 1-44, columns 7-8).

However, Bunting is silent with respect to using message to notify that call is subject to surveillance.

Dikmen teaches method and apparatus for intercept telephony communications (abstract). Dikmen invention uses advanced intelligent network whereby triggers used in switches to notify if call is subject for surveillance (col. 2 lines 5-16, lines 51-67).

Dikmen discloses AIN embodiment starting on col. 3 line 5 wherein a delivery function (20 figure 2) used in receiving incoming and outgoing calls to and from the target subscriber to be intercepted and delivering call identifying information and call content to the law enforcement agency. Dikmen also uses IAM (see figures 3-11) having correlation key (col. 4 lines 6-67) to determine if call subject for surveillance. Dikmen also notifies of hook flash when subject under surveillance uses AIN services, such as call forward, call waiting and three way calling (columns 5-6).

It would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the system as taught by Bunting to use triggers as taught by Dikmen for the benefit of notifying law enforcement agency when the subject call uses call forwarding or other AIN features as taught by Dikmen.

According to Applicant (see Amendment and brief remarks to independent claims paper dated 11/9/04) Bunting in view of Dikmen fail to teach correlating for call legs.

Lawson also teaches system and method for monitoring (title) in communication network. Lawson uses common information associated with IAMs (col. 6 lines 39-65) because correlation of common information is difficult because of the different paths that messages take (col. 2 lines 25-46). Lawson allows users to select common information to focus on thereby obtaining more specific data, such as specific area codes and exchanges (see tables 1-6 and col. 10 line 31 – col. 11 line 33) relating to particular event(s).

It would have been obvious for any one of ordinary skill in the art at the time of the invention to utilize the teaching of Lawson into the teaching of Bunting in view of Dikmen in order to provide for a more flexible system that allows user the ability to focus on exchanges and switches relating to particular events.

Regarding claims 2-5. Bunting indeed uses correlation information (figures 1-3, col. 4 lines 4-24 and 43-67, col. 5 lines 1-44, columns 7-8).

Regarding claim 6. Bunting teaches the call setup signaling originates from a format of a redirection directive utilized in ANSI-41 (col.5 lines 30-44 and col. 9 lines 22-38).

Regarding claim 7. Bunting teaches charge number and calling party number used (col. 4 lines 20-24, col. 5 lines 30-44).

Regarding claim 8. Bunting teaches the control message (i.e. call setup signaling information) comprises a calling party identifier (col. 5 lines 30-44).

Regarding claim 9. Bunting teaches billing number (col. 4 lines 20 and 21).

Regarding claim 10. Bunting teaches IAM (col. 5 lines 30-44, col. 9 lines 22-38).

Regarding claim 11. Bunting teaches ANSI-ISUP (col. 5 lines 30-44, col. 9 lines 22-38).

Regarding claims 15, 28 and 36. Bunting is silent with respect to using message to notify that call is subject to surveillance.

Dikmen teaches method and apparatus for intercept telephony communications (abstract). Dikmen invention uses advanced intelligent network whereby triggers used in switches to notify if call is subject for surveillance (col. 2 lines 5-16, lines 51-67). Dikmen discloses AIN embodiment starting on col. 3 line 5 wherein a delivery function (20 figure 2) used in receiving incoming and outgoing calls to and from the target subscriber to be intercepted and delivering call identifying information and call content to the law enforcement agency. Dikmen also uses IAM (see figures 3-11) having correlation key (col. 4 lines 6-67) to determine if call subject for surveillance. Dikmen also notifies of hook flash when subject under surveillance uses AIN services, such as call forward, call waiting and three way calling (columns 5-6).

It would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the system as taught by Bunting to use triggers as taught by Dikmen for the benefit of notifying law enforcement agency when the subject call uses call forwarding or other AIN features as taught by Dikmen.

Regarding claim 16. Bunting teaches determining the destination identifier (figures 1A-1C, col. 4 lines 43-67).

Regarding claim 17. Bunting teaches directory assistance call completion service (col. 5 lines 1-20).

Regarding claim 19. Bunting teaches prepaid (col. 4 lines 20 and 21).

Regarding claim 20. Bunting teaches voice activated dialing (col. 4 lines 19-24, col. 5 lines 1-20).

Regarding claims 24 and 32. Bunting teaches avoiding the hairpin loop (figure 4, col. 8 lines 43-58).

Regarding claim 25. Bunting teaches incoming identifier associated with second call leg (col. 5 lines 1-20, lines 30-44).

Regarding claim 26. Bunting teaches detecting billing parameter associated with IAM associated with second call leg (figures 1-3, col. 4 lines 19-24, col. 5 lines 1-20, lines 30-44).

Regarding claim 30. Bunting shows voice activated dialing (col. 4 lines 5-24).

Regarding claim 35. Bunting teaches ANI (figures 1-3, col. 4 lines 4-24 and 43-67, col. 5 lines 1-44, columns 7-8).

2. Claims 12, 21 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunting et al (6,393,289) in view of Dikmen (6549613) and Lawson et al (6,381,306 hereinafter Lawson) further in view of Giuhat et al (5,881,145 hereinafter Giuhat).

Regarding claim 12. Bunting in view of Dikmen and Lawson fail to teach the using ISDN-PRI signaling.

Giuhat teaches that the call setup signaling information originates from an initial address message as part of ISDN-PRI signaling (Table A-4, col. 5 lines 54-57, col. 6 lines 5-67, col. 7 lines 42-67, col. 8 lines 1-2).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the invention as taught by Bunting in view of Dikmen and

Lawson to use ISDN-PRI in call setup as taught by Giuhat for the benefit of extending services to other networks.

Regarding claims 21 and 37. Bunting in view of Dikmen and Lawson fail to teach temporary identity.

Giuhat teaches selecting a temporary identity form a pool of identities (col. 8 lines 3-61).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the as taught by Bunting in view of Dikmen and Lawson to allow selecting temporary identity form a pool of identities as taught by Giuhat for the benefit of completing telephony calls to ported directory numbers.

3. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunting et al (6,393,289) in view of Dikmen (6549613) and Lawson et al (6,381,306 hereinafter Lawson) further in view of Persson et al (6,052,589 hereinafter Persson).

Regarding claim 13. Bunting in view of Dikmen and Lawson fail to teach the GSM network.

Persson teaches that the call setup signaling information originates in a GSM network (col. 7 lines 12-17).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the invention as taught by Bunting in view of Dikmen and Lawson to

have the call setup signaling information originate in GSM network as taught by Persson for the benefit of extending the service area to include the GSM network.

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunting et al (6,393,289) in view of Dikmen (6549613) and Lawson et al (6,381,306 hereinafter Lawson) further in view of Bhagat et al (5,550,911 hereafter Bhagat).

Regarding claim 14. Bunting in view of Dikmen and Lawson fail to teach R1 Feature Group signaling.

Bhagat teaches that the call setup signaling information originates from R1 Feature Group D signaling comprising an Automatic Number Identification field (col. 3 lines 18-26, lines 52-67).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the invention as taught by Bunting in view of Dikmen and Lawson to have call setup originate from R1 Feature Group D signaling as taught by Bhagat for the benefit of determining whom the calls should be routed to based on the information of subscriber.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunting et al (6,393,289) in view of Dikmen (6549613) and Lawson et al (6,381,306 hereinafter Lawson) further in view of O'Brien (6,601,031

Regarding claim 18. Bunting in view of Dikmen and Lawson fail to teach voice mail.

O'Brien teaches service request is a request for accessing voice mail system (figure 3, col. 3 lines 10-15). O'Brien further shows the destination of the call is determined as a result of accessing voicemail messages (figure 3, col. 3 lines 10-15, lines 52-67).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the invention as taught by Bunting in view of Dikmen and Lawson to have destination of call determined as result of accessing voicemail message as taught by O'Brien for the benefit of determining recipient information.

Response to Arguments

6. Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (571) 272-7509, who is available Monday-Friday, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (571) 272-7499. The facsimile phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (571) 272-2600, the 2600 Customer Service telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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